

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Meeting

December 6, 2021
6:00 p.m.

Virtual Meeting
Bellevue, Washington

PRESENT: Mayor Robinson, Deputy Mayor Nieuwenhuis, and Councilmembers Barksdale, Lee, Robertson, Stokes and Zahn

ABSENT: None.

1. Call to Order

The meeting was called to order at 6:00 p.m., with Mayor Robinson presiding.

2. Roll Call; Flag Salute

City Clerk Charmaine Arredondo called the roll. All Councilmembers were present and participating remotely. Councilmember Lee led the flag salute.

3. Approval of Agenda

→ Deputy Mayor Nieuwenhuis moved to approve the agenda, and Councilmember Stokes seconded the motion.

→ The motion carried by a vote of 7-0.

4. Oral Communications

- (a) Bill Thurston, representing the Bellevue Club, thanked City staff and the Council for their work with the community and property owners to develop the East Main Station Area Land Use Code Amendment (LUCA). He thanked the City for being responsive to the concerns and interests of the Bellevue Club. He expressed support for Wig Properties' request related to accommodating a grocery store as part of the redevelopment.
- (b) Leshya Wig asked the City to phase the fulfillment of the minimum housing requirement for the East Main redevelopment and to accommodate Wig Properties' requests related to a future grocery store at the site. She said the LUCA currently requires that all housing must be developed when 60 percent of the nonresidential development is complete. However, if Wig Properties is not able to justify multiple high-rise towers with affordable

housing units by then, all development, including housing, will come to a stop. Ms. Wig asked the City to phase the minimum housing requirement through the LUCA and not through the development agreement. Ms. Wig said a grocery store was one of the main amenities identified by the East Main Station Area Citizen Advisory Committee (CAC) and Surrey Downs residents for the redevelopment. She said the additional housing at the site will enhance the demand for a grocery store in the neighborhoods. She said policy S-SW-59 for the East Main area includes language about allowing grocery stores, and she said having a grocery store will help the area to feel vibrant and active.

- (c) Mon Wig said that the block length exemption for a grocery store should be included in the LUCA instead of the development agreement for the East Main area. A potential grocery store operator will want to know that the site is zoned for that use and that parking and other needs will be met before signing a lease. He said a grocery store anchors a development and brings traffic to the property, which allows small family-owned businesses to survive and adds to the vitality of the neighborhood.

5. Reports of Community Councils, Boards, and Commissions: None.

6. Report of the City Manager

(a) Bellevue Convention Center Authority (BCCA) Appointments

City Manager Brad Miyake noted the management brief in the meeting packet regarding the recommended reappointment of the seven members of the Bellevue Convention Center Authority (BCCA) Board. He said the BCCA's charter requires the city manager to seek City Council concurrence with any appointments to the Board. He said the recommendation is also supported by the BCCA Executive Director.

Councilmember Zahn, liaison to the BCCA Board, complimented the Board's work with the convention center throughout the pandemic and expressed support for reappointing the current members.

Mayor Robinson noted a Council consensus in support of the reappointments.

(b) Bellevue Essentials Summary

Mr. Miyake introduced staff's update regarding the ninth year of the Bellevue Essentials program and noted the written summary in the meeting packet.

Mark Heilman, Neighborhood Outreach Manager, said the first meeting of the class was held at the Bellevue Botanical Garden to meet and have dinner, and the remaining classes were held both virtually and on site at municipal facilities. The words mentioned most often by the recent graduates to describe their experience in the program are engaging, enlightening, home, inspiring, empowering, impactful, fun and inclusive. Mr. Heilman noted that approximately 70 staff participated throughout the 12-week program.

Mr. Heilman said that Julie Ellenhorn, Community Relations Coordinator, prepared instructional materials that are now used by other cities for developing a similar program.

Ken Rosenow, a resident of Surrey Downs, thanked the Council for supporting the program. He thanked Ms. Ellenhorn, Mr. Heilman and the many other City staff who participate in the program. Mr. Rosenow said he has been involved in a number of volunteer activities throughout his 25 years in Bellevue. After hearing good things about the Bellevue Essentials program, he decided to apply to learn more about the City's operations. He said he was amazed to learn about all of the services provided by the City. He said opportunities were provided to interact with other members of the class through the virtual format. Mr. Rosenow, current president of the Surrey Downs Community Club, said he will share what he has learned with other residents. He thanked the Council and staff for making Bellevue such a great place.

Mayor Robinson thanked everyone for the presentation.

7. Council Business and New Initiatives: None.

8. Consent Calendar

→ Deputy Mayor Nieuwenhuis moved to approve the Consent Calendar, and Councilmember Stokes seconded the motion.

→ The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:

(a) Council Minutes

Minutes of November 15, 2021 Regular Meeting

(b) Ordinance No. 6623 amending the 2021-2022 Interest & Debt Redemption - Regular Fund to increase the appropriation by \$134,437,361 to reflect the final accounting for the sale of bonds approved under Ordinance No. 6613.

(c) Ordinance No. 6624 amending the 2021-2027 General Capital Investment Program (CIP) Plan to increase the budget for the Mountains to Sound Greenway Trail - I-405 to 132nd Avenue SE Project (CIP Plan No. PW-W/B-83) by \$725,000 and decrease the budget for the Mountains to Sound Greenway Trail - 132nd Avenue SE to 142nd Place SE Project (CIP Plan No. PW-W/B-84) by \$725,000.

(d) Resolution No. 10033 authorizing execution of a two-year General Services Contract with Canber Corporation in an amount not to exceed \$103,012.50 plus all applicable taxes, including an option to renew for one additional term of two years in an amount not to exceed \$103,012.50 plus all applicable taxes and any State-mandated prevailing wage increase and/or City-approved special or unanticipated market condition that does not exceed the Consumer Price Index (CPI-U, Seattle-Tacoma-Bellevue) for the most recently completed calendar year.

- (e) Resolution No. 10034 authorizing execution of a two-year General Services contract with Canber Corporation in an amount not to exceed \$114,290.00, plus all applicable taxes, including an option to renew for one additional term of two years in an amount not to exceed \$114,290.00, plus all applicable taxes and any State-mandated prevailing wage increase and/or City-approved special or unanticipated market condition that does not exceed the Consumer Price Index (CPI-U, Seattle-Tacoma-Bellevue) for the most recently completed calendar year.
 - (f) Resolution No. 10035 setting a time and place for a public hearing to consider the release of a public utility easement and a portion of a second public utility easement, both located at 10300 NE 8th Street, declared as surplus to the City's needs.
 - (g) Resolution No. 10036 authorizing execution of an agreement with Hopelink to accept reimbursement grant funds (in an amount expected to exceed \$90,000) from the Low-Income Home Water Assistance Program to assist low-income customers currently in arrears on their utility accounts, with the executed agreement to be substantially in the form as the agreement in the Council Library.
 - (h) Resolution No. 10037 authorizing execution of a two-year General Services contract with Westgro Corporation in an amount not to exceed \$73,660.64, plus all applicable taxes, including an option to renew for one additional term of two years in an amount not to exceed \$73,660.64, plus all applicable taxes and any State-mandated prevailing wage increase and/or City-approved special or unanticipated market condition that does not exceed the Consumer Price Index (CPI-U, Seattle-Tacoma-Bellevue) for the most recently completed calendar year.
 - (i) Resolution No. 10038 authorizing execution of a two-year General Services Contract with Plantscapes, Inc. in an amount not to exceed \$110,332.00 plus all applicable taxes, including an option to renew for one additional term of two years in an amount not to exceed \$110,332.00 plus all applicable taxes and any State-mandated prevailing wage increase and/or City-approved special or unanticipated market condition that does not exceed the Consumer Price Index (CPI-U, Seattle-Tacoma-Bellevue) for the most recently completed calendar year.
9. Public Hearings: None.
10. Study Session Items
- (a) Bellevue Police Community Crisis Assistance Team (CCAT) Pilot Program Update

City Manager Miyake introduced staff's update regarding the Community Crisis Assistance Team (CCAT) pilot program.

Interim Police Chief Wendell Shirley said the program was established to evaluate how the Bellevue Police Department and the Bellevue Fire Department's CARES (Citizen Advocates for Referral and Education Services) program could work together to respond to individuals in crisis.

Police Major Andrew Popochock said that calls related to suicide and mental behavioral health crises increased by 56 percent since 2016. From 2015 through 2020, the Bellevue Police Department responded to more than 6,200 calls related to individuals in crisis. Mr. Popochock commented on the importance of safety for the person in crisis, City employees and the general public. He said the CCAT was created to provide a coordinated community response combining law enforcement with mental health professionals to assist individuals in need of social and medical services.

Natasha Grossman, CARES Program Manager, Fire Department, recalled that the CARES program was established in 2012. She said the social workers involved with the CARES program also staffed the CCAT unit and rode with the police officers.

Major Popochock said the two main goals of the CCAT pilot program were to: 1) improve the response to incidents involving mental illness by diverting individuals from the criminal justice system, and 2) address the underlying issues to reduce recidivism and improve quality of life. He commented on the importance of building relationships and of following up after individuals are referred to services. He noted the emphasis on reducing use of force incidents, arrests and jail bookings.

Ms. Grossman said the pilot program ran from May 1 through August 31, 2021. She noted that Carol Harper, who is also familiar with the CARES program, provided an academic program evaluation. Throughout the pilot program, there were 1,785 client or client-related contacts involving 239 clients. Ms. Grossman said there has been a significant increase in new clients over the past year. She said the top three client issues were mental/behavioral health, housing insecurity/homelessness and substance use, and 65 percent of the clients had co-occurring issues.

Captain Alycia McKinney described the demographics of the clients served through the CCAT program. She said one focus of the pilot program was to determine the source of calls for assistance (911 calls versus CCAT proactive outreach). The pilot program determined that the majority of the calls came through as 911 calls. Captain McKinney said officers often spend up to two hours with clients with complex issues. She noted the program goal of increasing the diversion rate from the hospital and jail system by connecting clients with needed services and housing. She attributed the decrease in the use of force to the use of officers who are not in uniform and who have a higher level of training, as well as more time to spend on the calls.

Ms. McKinney said the CCAT approach produced the types of outcomes desired through its partnerships with Congregations for the Homeless, The Sophia Way, Overlake Hospital and others. She said it is important for the public to know that when they call 911, an alternative response with both law enforcement and mental health professionals is available. She commented on the program's positive impacts related to building trust between police and the community and helping individuals and families to find solutions to their challenges. Captain

McKinney said the program is a good example of the One City approach involving both the Police Department and the Fire Department.

Fire Chief Jay Hagen said he is proud of the City's work through the CCAT pilot program. He said the draft final report was recently provided by Carol Harper and contains both qualitative and quantitative information. Chief Hagen said staff will continue its community outreach, including through the Engaging Bellevue web page and the activities of the Police advisory councils.

Mayor Robinson thanked everyone for the presentation.

Councilmember Barksdale thanked everyone for the thoughtfulness in their approach to the CCAT pilot program. He thanked staff for their efforts to build relationships in the community. He asked whether there are situations in which a mental health professional would or did respond without a law enforcement officer. He expressed an interest in discussing and evaluating the data in greater detail during the Council retreat early next year.

Responding to Mr. Barksdale, Ms. Grossman said there are times where the individual in crisis prefers speaking to the officer and has no interest in speaking with the social worker or mental health professional. She said it is difficult to gather sufficient information when dispatching a 911 call to feel comfortable about the safety of a social worker responding to a call for help by themselves.

Interim Chief Shirley said they will forward the data to the City Manager's Office and the Council as soon as it is available. Responding to Mr. Barksdale, Chief Shirley said the CCAT officers have returned to the patrol force and continue to apply their training and lessons learned when responding to calls. He noted the goal to ultimately train all patrol officers in the CCAT approach. Mr. Barksdale expressed support for continuing the program.

Councilmember Zahn thanked staff for their work and expressed support for continuing the program. She asked about the resources available for clients and whether the City should be advocating for more social services. She noted the potential for federal funding to support the CCAT program.

Ms. Grossman confirmed that there is a need for more mental health resources to provide intervention and diversion for individuals in crisis. She said CCAT officers have more time to spend to listen to a person, contact a family member or otherwise be able to resolve the immediate situation.

Captain McKinney concurred with the need for more social and behavioral health services facilities. She noted the significant value in combining the resources and expertise of law enforcement and mental health professionals to better understand an individual's history.

Responding to Councilmember Zahn, Major Popochock said 911 calls can be dispatched directly to a CCAT officer, or a CCAT officer might want to also pick up the call if they hear the

dispatch to a patrol officer. Mr. Popochock said a patrol officer also can always request a CCAT unit.

Deputy Mayor Nieuwenhuis thanked everyone for their work and said he looks forward to reviewing the report. He expressed an interest in feedback from the police advisory councils and in the fiscal impacts of the CCAT program.

Responding to Mr. Nieuwenhuis, Captain McKinney said it was surprising to see that many individuals responded more positively to the police officer than to the mental health professional. In other situations the reverse is true. Ms. McKinney described an incident in which the mental health team was able to negotiate and deescalate a potential suicide without the police ever having to use force.

Councilmember Stokes expressed appreciation and support for the program and staff. He said the CCAT program provides important and needed changes to improve services within the community.

Councilmember Lee expressed strong support for continuing the program and asked staff to provide periodic updates. He praised the community focused approach, the successful diversions from hospitals and jails, and the decrease in use of force incidents. He thanked everyone for their good work.

Councilmember Robertson said she is proud of the work of the Police Department and the Fire Department. She said the CCAT program honors the value of building trust with and protecting the community. She said she looks forward to reviewing the report and the data. She encouraged staff to share Bellevue's CCAT program with other jurisdictions.

Mayor Robinson noted the Council's support for continuing the CCAT program and encouraged exploring potential grant opportunities. She asked about the indicators of success for the program. Responding to Ms. Robinson, Ms. Grossman said the City works with other agencies, including shelters and permanent supportive housing providers, to help identify and address the need for services.

Ms. Robinson said experience has shown that people cannot recover and thrive if they do not have stable housing. She noted the future shelter and permanent supportive housing project in the Eastgate area and said the data will help guide the City's policies.

Major Popochock noted that diversion from jail to accepting supportive services is one indicator of success.

(b) Regional Issues [*Written Update only. No presentation.*]

At 7:30 p.m., Mayor Robinson declared a short break. The meeting resumed at 7:42 p.m.

11. Land Use

- (a) Ordinance No. 6625 approving with conditions rezone application Permit File No. 20-102751-LQ; rezone of a 6.4-acre site located at 1015 164th Avenue NE from Office (O) to Community Business (CB).

City Attorney Kathy Gerla said Ordinance No. 6625 approves the Safegard Self Storage application for the rezone of a 6.4-acre site located at 1015 164th Avenue NE from Office (O) to Community Business (CB). She recalled previous discussion regarding the rezone on November 22. She said this is a Process III quasi-judicial matter. The Hearing Examiner recommended approval of the rezone application, with one condition. No appeals have been filed. Ms. Gerla said this is a closed record proceeding and the Council's decision must be based on the record established by the Hearing Examiner.

Ms. Gerla noted that information regarding the alternatives and decision criteria was provided in the meeting packet.

Responding to Mayor Robinson, Councilmembers indicated that they did not have any ex parte contacts related to the rezone application.

- Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6625, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.

12. Other Ordinances, Resolutions and Motions

- (a) Ordinance No. 6626 to amend Land Use Code (LUC) Chapter 20.10 Land Use Districts, Chapter 20.20 General Development Requirements, Chapter 20.25 Special and Overlay Districts, and Chapter 20.50 Definitions to establish a density bonus and additional modifications to other standards and requirements for affordable housing developments on certain public, non-profit, or religious organization-owned properties; repealing Section 20.20.128 LUC in its entirety and adopting a new LUC 20.20.128; amending definitions in LUC 20.50.010 for consistency and clarity; providing for severability; and establishing an effective date.

City Manager Miyake noted that this topic was last discussed with the Council on November 15.

Mike Brennan, Director, Development Services Department (DSD), said Ordinance No. 6626 implements the first phase of the Action C-1 density bonus described in the Affordable Housing Strategy. The density bonus can be used on certain public, nonprofit and faith-based properties to provide affordable housing.

Trisna Tanus, Consulting Attorney, DSD, said staff is seeking adoption of Ordinance No. 6626 to amend the Land Use Code related to Action C-1. The next step will be to initiate related Comprehensive Plan map amendments next year.

Kristina Gallant, Senior Planner, DSD, said the eligible properties must provide permanent affordable housing at or below 80-percent of the area median income (AMI). In single-family districts, the only properties eligible for the Action C-1 density bonus are those owned by religious organizations. For multifamily housing development, all properties owned by a public agency, nonprofit organization or religious organization are eligible. The Land Use Code Amendment (LUCA) provides a by-right 50-percent density bonus without requiring any added permitting process and provides some flexibility for dimensional standards. Staff proposes that in single-family districts, duplexes and triplexes may represent up to half of the units in a subdivision.

Ms. Gallant said Ordinance No. 6626 conforms the Land Use Code with RCW 36.63.300. The public engagement effort followed Process IV requirements for noticing and holding the public hearings. Information is available on the Engaging Bellevue web page, and staff engaged with the faith community, nonprofit housing providers and members of the public throughout the process. The Planning Commission discussed the LUCA during four study sessions, which included one public hearing. A courtesy hearing was held before the East Bellevue Community Council (EBCC) on September 8. Following action by the City Council, the EBCC will hold a public hearing and take action on the City Council's ordinance.

Responding to Mayor Robinson, Ms. Tanus said state law requires jurisdictions to provide an affordable housing density bonus. However, it does not specify the amount of the bonus.

→ Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6626, and Councilmember Robertson seconded the motion.

→ The motion carried by a vote of 7-0.

- (b) Ordinance No. 6627 amending the Land Use Code (LUC) to create a new Part 20.25Q East Main to establish requirements, standards, and design guidelines to implement the new East Main Transit Oriented Development (TOD); amending LUC 20.10.020 Land Use Districts and LUC 20.25H.045 Critical Areas Overlay District for consistency with the new Part 20.25Q LUC; providing for severability; and establishing an effective date.

City Manager Miyake noted that the remaining ordinances relate to the East Main Station Area Land Use Code Amendment (LUCA).

Mr. Brennan said that Ordinance No. 6627 adopts the LUCA, Ordinance No. 6628 adopts the rezone, Ordinance No. 6629 adopts the noise control code and Ordinance No. 6630 adopts the sign code.

Ms. Tanus said the East Main Station Area is located between Main Street and SE 8th Street and between 114th Avenue SE/I-405 and 112th Avenue SE. The light rail station and Surrey Downs neighborhood are west of the site. She said the vision for the East Main transit-oriented development (TOD) is to create a vibrant and memorable neighborhood with a mix of uses and housing choices. Ms. Tanus highlighted the LUCA process to date, which includes seven

previous study sessions and a public hearing. She said staff is seeking Council adoption of the East Main LUCA tonight.

Ms. Tanus said the proposed LUCA ordinance creates a new Land Use Code Chapter 20.25Q. The rezone ordinance establishes new land use districts. The noise control code and sign code are consistent with the regulations in the Downtown.

Nick Whipple, Planning Manager, recalled that the Comprehensive Plan Amendment (CPA) adopted in May 2019 established the blueprint for how the East Main area would transition with the introduction of light rail service. The CPA envisioned housing, including affordable housing, close to transit and a mix of other uses. Mr. Whipple said the Council is being asked to adopt the East Main LUCA to implement the vision of the Comprehensive Plan.

The LUCA is largely based on the Downtown Code Chapter 20.25A and will create a new Chapter 20.25Q. The LUCA describes the permitted land uses, sets standards for development (i.e., building height, floor plate size, minimum housing requirement, floor-area ratio (FAR), amenity options, block sizes and design guidelines), provides exceptions for certain uses and provides for code departures through the use of a development agreement (DA).

Mr. Whipple said Ordinance No. 6628 adopts the proposed rezone for the East Main-TOD area and creates two new land use districts: East Main-TOD-High density and East Main-TOD-Low density. Ordinance No. 6629 incorporates the two East Main land use districts into the Noise Control Code (BCC 9.18). Ordinance No. 6630 adds the East Main land use districts to the Sign Code (BCC 22B.10.025 and 22B.10.030). Mr. Whipple said the noise and sign codes are consistent with the Downtown codes.

Mr. Brennan said staff is seeking final action by the Council to approve the East Main Station Area LUCA.

Mayor Robinson thanked staff for the presentation and noted that some Councilmembers would like to propose amendments.

→ Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6627, and Councilmember Stokes seconded the motion.

Deputy Mayor Nieuwenhuis thanked staff for all of their work to reach this point. He said his proposal is based on the stakeholder's request for a reasonable adjustment to the block length and perimeter requirements to enable the redevelopment to accommodate a grocery store and parking. Mr. Nieuwenhuis said the current code language could easily be changed to retain the staff-proposed block size and length requirements while also creating an exception to accommodate a grocery store and its required parking facilities. He said a grocery store was one of the main amenities identified by the Surrey Downs neighborhood and the East Main Citizen Advisory Committee (CAC) for the area's redevelopment.

Mr. Nieuwenhuis said the Eastside Housing Roundtable independently recommended that the block length and perimeter requirements be removed entirely. He said he was advocating only

for a minor adjustment. Mr. Nieuwenhuis said that addressing the block length exemption for a grocery store in a future DA could delay the redevelopment, including the development of housing. He encouraged the Council to listen to input from the community and stakeholders.

Councilmember Lee concurred with Mr. Nieuwenhuis and said a grocery store is essential to the financial viability of the East Main redevelopment project. Mr. Lee expressed an interest in the financial feasibility analysis, including information related to grocery stores, conducted by Eco Northwest. He said the developer will do what is feasible for them. He does not think the proposed block length will decrease walkability.

Councilmember Barksdale expressed support for the proposal. He suggested revising the exception to go beyond a grocery store to include potentially any “unmet need identified in and/or consistent with the Comprehensive Plan that cannot otherwise be met.”

Councilmember Robertson said she will support the amendment as printed in the desk packet when the Deputy Mayor makes the motion to amend. She said the 200 feet block length is smaller than the standard block size in Seattle. She said larger blocks are needed to support the floor plates for a grocery store. She said she did not support adding the proposed language referring to “unmet need” because it is vague and creates uncertainty. She expressed support for the 350 feet exception near 114th Avenue and Main Street.

Councilmember Stokes expressed support for the proposal.

Councilmember Zahn said it was not clear in the desk packet materials that the proposed amendment applies only to grocery stores. She expressed support for Councilmember Barksdale’s suggestion to consider a broader exception for other unmet community needs. She said she would support limiting the exception to grocery stores or allowing other exceptions tied to a neighborhood need identified in the Comprehensive Plan. However, she does not support an unlimited exception.

Mayor Robinson said she would like to provide the exception for grocery stores and child care centers.

→ Deputy Mayor Nieuwenhuis moved to amend Section 3 of Ordinance No. 6627 to expand the portions of East Main exempt from block size and length requirements to 350 feet from 114th Avenue SE or Main Street, in LUC 20.25Q.100.E.4.a, for a grocery or child care purpose. Councilmember Lee seconded the amendment.

Responding to Councilmember Stokes, Mr. Brennan said that under the draft LUCA, perimeter block length exceptions apply within 200 feet of 114th Avenue SE. With the motion to amend, the portion that would be exempt from block size requirements falls within 350 feet of 114th Avenue or Main Street.

Councilmember Robertson said she would not support mandating the exception only for a grocery store or child care center.

Councilmember Lee concurred with Ms. Robertson's concern and said it is important to think about the implications for the developer and the feasibility of the project.

Councilmember Barksdale expressed support for the proposed amendment and reiterated his interest in creating an exception for other unmet neighborhood needs. Mr. Whipple said the term "unmet need" is not used in the code. He suggested that the DA process would be a better mechanism to evaluate a potential unmet need.

Responding to Mayor Robinson, Mr. Brennan said the code allows for the development of a grocery store in the East Main area. However, the issue is about the specific configuration of the site. He said the proposed amendment would provide additional by-right flexibility to the developer to lay out their site as they see fit.

Councilmember Stokes suggested that the perimeter block length issue related to a grocery store or child care center could be addressed through the DA process. He spoke in favor of providing flexibility for the developer and the City. He thanked everyone for the good discussion.

Responding to Councilmember Robertson, Mr. Whipple said the Downtown superblocks are 600 feet long. The East Main LUCA is modeled after the BelRed code and both have a block length of 325 feet and a perimeter block distance of 1,300 feet.

Councilmember Robertson said a grocery store is not feasible with the smaller block size because the stores are generally very large and typically cover only one floor. She said the developer has indicated that a grocery store is not viable with the shorter block lengths.

→ Councilmember Robertson made a substitute motion to amend to revise the exception to LUC 20.25Q.100.E.4.a to read: "114th Avenue SE block size and length requirements shall not apply to any project limit wholly contained within 300 feet from 114th Avenue SE or Main Street." Deputy Mayor Nieuwenhuis seconded the motion and withdrew his previously proposed amendment.

Ms. Robertson said her motion reflects the Deputy Mayor's original proposal as presented in the meeting packet materials, without the reference to a specific type of use.

Councilmember Zahn said she supports the exception for grocery stores and child care centers only. She opined that Councilmember Barksdale's suggestion to include other unmet needs in the exception provides greater flexibility for developers.

Mayor Robinson confirmed that the proposed amendment does not refer to any specific type of use to be eligible for the block length exception.

Councilmember Lee expressed concern regarding the potential for unintended consequences. He said the developer has been working with the City to discuss everyone's needs for a long time.

Responding to Mayor Robinson, Mr. Brennan said a developer is looking for as much flexibility as possible when redeveloping property. He said that allowing an exception for a grocery store or

child care center would not require that the project include one or both of those uses. Mr. Brennan said that generally a property manager would secure a tenant before completing interior spaces.

Mayor Robinson noted that the Council could delay further discussion until next week to allow time for staff to provide additional information.

Mr. Brennan recalled previous Council direction to avoid overly large retail stores. Consistent with that direction, the maximum square footage allowed for retail uses in the East Main TOD is 25,000 square feet. He said that is a fairly modest size for a grocery store, and a development agreement would be needed to approve a larger grocery store.

Mayor Robinson said she is ready to vote on the amendment tonight. However, she will not support the amendment as written.

Councilmember Stokes wondered whether the site is big enough to accommodate a large grocery store. He noted the need to balance the developer's preferences with staff's recommendations. He believes the LUCA will result in a good project. He said he would prefer to defer action until the following week.

Councilmember Robertson said she is ready to vote tonight. She noted that the proposal was provided in the meeting packet in advance of the meeting. She encouraged flexibility for the property owner and developer. She noted that while she supports the DA process, it would cause delays due to additional requirements triggered in the DA.

Deputy Mayor Nieuwenhuis said he would like to vote tonight. He said the proposed amendment provides straightforward language without creating unnecessary constraints in the code. He encouraged providing flexibility for the property owner. He encouraged support of the motion to amend.

Councilmember Zahn said she appreciated the robust discussion. She said she supported the initial proposed amendment providing the exception only for a grocery store or child care center. She supports Councilmember Barksdale's interest in determining how to define "unmet needs" to be included in the exception. She said she is ready to vote tonight. However, she does not support the amendment as stated in the substitute motion to amend.

Mayor Robinson suggested that if Ms. Zahn would like more information, the Council could delay action and provide time for staff to prepare a response before next week's meeting.

Responding to Mayor Robinson, Director Brennan confirmed that staff would need time for an analysis of the Council's suggestions. He said staff will attempt to complete that work before next week's meeting if desired by the Council.

Councilmember Barksdale said he would like to see the amendment come back with some qualifications.

Responding to Mayor Robinson, Ms. Zahn said she would like to have staff prepare language that gives a little more shape to this. Councilmember Stokes concurred.

Deputy Mayor Nieuwenhuis said he would be open to waiting if staff could return with more information next week.

Councilmember Lee said he wanted to vote tonight to allow the LUCA and the redevelopment to move forward.

Councilmember Barksdale said he would like to conduct a retrospective review of the East Main work before moving forward with Wilburton planning. He suggested doing this before or during the Council retreat.

Mayor Robinson noted five Councilmembers (herself, Deputy Mayor Nieuwenhuis, Councilmember Barksdale, Councilmember Stokes and Councilmember Zahn) comfortable with delaying Council action until the following week.

Deputy Mayor Nieuwenhuis offered to withdraw the main motion. Councilmember Robertson said she would withdraw her motion to amend. However, she wanted to vote on a different amendment tonight.

- Councilmember Robertson moved to postpone action on her motion to amend Ordinance No. 6627 to December 13, 2021. Mayor Robinson seconded the motion.
- The motion carried by a vote of 6-1, with Councilmember Lee dissenting.

Mayor Robinson noted that the main motion to adopt Ordinance No. 6627 is still on the table.

Councilmember Robertson noted that, after meeting with staff today, she made minor revisions to her proposal about the minimum housing phasing requirement that was distributed last Friday.

- Councilmember Robertson moved to amend Ordinance No. 6627, Section 3, Note 2 in Land Use Code 20.25Q.060.A to allow for 50 percent of the nonresidential development capacity to be permitted and constructed, and requiring one-third of the minimum amount of residential development to receive approval of the first inspection for work under the building permit before additional nonresidential development may be permitted and constructed, and allowing the increment of nonresidential development to be increased by 15 percent for every one-third of required residential use that receives approval of the first inspection for work under the building permit. Councilmember Stokes seconded the motion.

Councilmember Robertson said a number of stakeholders have asked the City to break the phasing into more phases, alternating between phases of nonresidential and residential development. She said her proposed amendment will produce housing a little bit faster and allow developers to develop nonresidential and residential development simultaneously.

Councilmember Stokes expressed support for the proposed amendment. He would like the redevelopment to move forward as quickly as possible, especially for affordable housing.

Councilmember Lee said he appreciates Councilmember Robertson's proposal and overall expertise in land use issues. Responding to Mr. Lee, Ms. Robertson said the office market is currently very strong and her proposal will facilitate and require the production of housing along with commercial development. She said if her proposal is not feasible to a developer, they could propose a different phasing plan through the DA process.

Responding to Councilmember Zahn, Mr. Whipple provided additional clarification regarding the two phasing options.

Deputy Mayor Nieuwenhuis expressed support for the amendment and noted that he believes it will encourage residential development sooner.

- The motion to amend carried by a vote of 7-0.
- Councilmember Robertson moved to postpone action on the main motion regarding Ordinance No. 6627 and on Ordinance Nos. 6628, 6629 and 6630. Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.

Responding to Mayor Robinson, Mr. Brennan stated his understanding that the amendment requested by the Council would expand the area within East Main where the block length requirement is exempted for a grocery store or child care center only. He said staff could work on drafting language to address unmet community needs if the Council wants to include the language in the exception.

Mayor Robinson said she heard a suggestion to refer to the unmet needs (e.g., grocery store) identified in the Comprehensive Plan and the East Main CAC vision. Councilmember Barksdale confirmed his interest in defining unmet needs.

- (c) Ordinance No. 6628 amending the selected land use designations in the Southwest Bellevue subarea for consistency with revisions to the East Main Transit Oriented Development (EM-TOD) land use designation in the Comprehensive Plan; repealing Ordinance No. 2961, which adopted Concomitant Zoning Agreement No. 6837, where the conditions have been met or are no longer necessary; providing for severability; and establishing an effective date.
- (d) Ordinance No. 6629 amending Bellevue City Code (BCC) 9.18.025 to incorporate and regulate the new East Main Land Use Districts, EM-TOD-H and EM-TOD-L, in the Noise Control Code, Chapter 9.18 BCC; providing for severability; and establishing an effective date.

- (e) Ordinance No. 6630 amending Bellevue City Code (BCC) 22B.10.025 and BCC 22B.10.030 to incorporate and regulate the new East Main Land Use Districts, EM-TOD-H and EM-TOD-L, in the Sign Code, Chapter 22B.10 BCC; providing for severability; and establishing an effective date.

13. Unfinished Business: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

At 9:36 p.m., Mayor Robinson declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

/kaw